

**AGENDA
JULY 5, 2011 - 6:00 P.M.
MEETING OF THE BOARD OF TRUSTEES
OF THE INCORPORATED VILLAGE OF NORTHPORT
REGULAR MEETING**

OPEN MEETING:

SALUTE TO THE FLAG:

ANNOUNCEMENTS:

PRESENTATIONS:

PUBLIC HEARINGS:

PUBLIC PARTICIPATION:

BOARD APPROVAL OF WARRANT:

Fiscal Year 2011/2012 General Fund bills in the amount of \$ 38,104.50
Fiscal Year 2011/2012 General Fund bills in the amount of \$ 4,770.00
Fiscal Year 2011/2012 Sewer Fund (G) bills in the amount of \$ 11,602. 60
Fiscal Year 2010/2011 Capital Fund bills in the amount of \$ 19,249.98

TREASURER REPORT:

COMMISSIONER REPORTS:

CHIEF OF POLICE REPORT:

ADMINISTRATOR'S REPORT:

NEW BUSINESS:

OLD BUSINESS:

CORRESPONDENCE:

REQUESTS: 1. Request from Artie Burke (Nina's Pizza) to close Main St. from 12:00 PM to 5:00 PM Saturday August 6, 2011.

RESOLUTIONS:

RESOLUTION 2011- 111 ~ APPROVAL OF THE JUNE 21, 2011 MINUTES

WHEREAS: Copies of the minutes of the June 21, 2011, meeting were sent to the Board for approval, therefore,

BE IT RESOLVED that said minutes are approved without reading, at this time.

RESOLUTION 2011 - 112 ~ FIRE DEPARTMENT FAIR PARKING RESTRICTIONS

WHEREAS: Police Chief Eric Bruckenthal has requested the enactment of certain temporary parking restrictions from July 11, 2011 through July 16, 2011 in order to facilitate the Northport Volunteer Fire Department's Fair to be held during that period, so

BE IT RESOLVED: That the temporary parking restrictions on the dates and times noted in the memorandum, which is annexed to this agenda and incorporated herein, are hereby approved and the Police Department is hereby authorized to take actions necessary to enforce said restrictions

RESOLUTION 2011 – 113~ SALARY INCREASE

BE IT RESOLVED: Seasonal employee Daniel Tizio's hourly rate is hereby increased to \$12.50/hr effective May 27, 2011.

RESOLUTION 2011 ~ 114 ~ BUDGET TRANSFER

WHEREAS: By Board resolution 2011 – 94 the Village created a G Fund: Sewer; so,
THEREFORE BE IT RESOLVED: that the Board approves the following budget transfer into the G Fund:

A.9710.0600.0000 Serial Bonds-Principal \$48,075.00 in FY2011-2012 Adopted Budget to G.9710.0600.0000 Serial Bonds-Principal.

A.9710.0700.0000 Serial Bonds-Interest \$23,831.70 in FY2011-2012 Adopted Budget to G.9710.0700.0000 Serial Bonds-Interest.

A.1650.0400.0000 Telephone Bills (Sewer Portion of) \$30,000.00 in FY2011-2012 Adopted Budget to G.

A.1910.0400.0000 Insurance Premiums (Sewer Portion of) \$195,283.00 in FY2011-2012 Adopted Budget to G.

A.9010.0801.0000 NYS Retirement System (Sewer Portion of) \$397,186.00 in FY2011-2012 Adopted Budget to G.

G.1650.0400, with the amount of \$2000.00

to be transferred from A.1650.0400 (2010 charges for sewer phones totaled \$1875.00)

2. New account in Sewer Fund for the laboratory charges previously paid out of G.8130.0404, which is supposed to be chemicals. to add account G.8130.0401.0001 for all laboratory charges. Based on 2010 charges, the budget for this account is \$15,000., to be transferred from the G.8130.0404 budget line.
addG.8130.0400 sewer plant repairs \$10,000.00

RESOLUTION: 2011- 114~ FEES

PURSUANT TO CODE §282-28, THE BOARD OF TRUSTEES HEREBY ESTABLISHES A PER DIEM STORAGE FEE OF \$15.00 FOR ANY BOOTED OR IMPOUNDED VEHICLES AND A TOWING FEE OF \$100 FOR ANY VEHICLE IMPOUNDED BY THE NORTHPORT VILLAGE POLICE DEPARTMENT.

RESOLUTION 2011 ~ 115 ~ BOND RESOLUTION

RESOLUTION OF THE VILLAGE OF NORTHPORT, NEW YORK,

ADOPTED JULY 5, 2011, AMENDING THE BOND RESOLUTION

ADOPTED MAY 4, 2010

RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF
NORTHPORT, IN THE COUNTY OF SUFFOLK, NEW YORK (by the favorable
vote of not less than two-thirds of all members of said Board of Trustees) AS
FOLLOWS:

Recitals

WHEREAS, the Board of Trustees of the Village of Northport, in the County of Suffolk, New York, has heretofore duly authorized the issuance of serial bonds to finance improvements to the Village wastewater treatment plant, at the estimated total cost of \$250,000, which amount was appropriated for such purpose pursuant to the bond resolution adopted by said Board of Trustees on May 4, 2010; and

WHEREAS, the Board of Trustees has now determined that significant additional work shall be done in connection with the project and the necessary engineering work and environmental review have been completed and the estimated cost of such project shall be \$9,030,000, and it is in the public interest increase said appropriation and to authorize the issuance of additional bonds to finance such project;

Now, therefore, be it

RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF NORTHPORT, IN THE COUNTY OF SUFFOLK, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Board of Trustees) AS FOLLOWS:

Section (A) The bond resolution of the Village of Northport duly adopted by the Board of Trustees on May 4, 2010, entitled:

“Bond Resolution of the Village of Northport, New York, adopted May 4, 2010, authorizing the construction of improvements to the Village wastewater treatment plant, stating the estimated maximum cost thereof is \$250,000, appropriating said amount for such purpose, and authorizing the issuance of \$250,000 serial bonds of said Village to finance said appropriation,”

is hereby amended to read as follows:

BOND RESOLUTION OF THE VILLAGE OF NORTHPORT, NEW YORK, ADOPTED ON MAY 4, 2010 AND AMENDED ON JULY 5, 2011, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO THE VILLAGE WASTEWATER SYSTEM, STATING THE ESTIMATED MAXIMUM COST THEREOF IS

\$9,030,000, APPROPRIATING SAID AMOUNT FOR SUCH
PURPOSE, AND AUTHORIZING THE ISSUANCE OF \$9,030,000
SERIAL BONDS OF SAID VILLAGE TO FINANCE SAID
APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF NORTHPORT, IN THE
COUNTY OF SUFFOLK, NEW YORK, HEREBY RESOLVES (by the favorable
vote of not less than two-thirds of all the members of said Board of Trustees) AS
FOLLOWS:

Section 1. The Village of Northport, in the County of Suffolk, New York (herein
called the “Village”), is hereby authorized to construct improvements to the Village
wastewater system, including wastewater treatment plant upgrades, denitrification
improvements, shoreline sewer and pump station upgrades, infiltration/inflow
remediation and collection system improvements, as described in the reports
prepared by Gannett Flemming, duly licensed engineers, dated April 2009 and
August 2010. The estimated maximum cost thereof, including preliminary costs
and costs incidental thereto and the financing thereof, is \$9,030,000 and said amount
is hereby appropriated for such purpose. The plan of financing includes the issuance
of \$9,030,000 serial bonds of the Village to finance said appropriation and the levy
and collection of taxes upon all the taxable real property in the Village to pay the
principal of said bonds and the interest thereon as the same shall become due and
payable. It is expected that grant funds shall be received by the Village in connection

with the project described herein and any such grant funds are authorized to be applied toward the cost of said project or redemption of the Village's bonds or notes issued to finance the project, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes.

Section 2. Serial bonds of the Village in the principal amount of \$9,030,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) Pursuant to the applicable provisions of the State Environmental Quality Review Act ("SEQRA"), this Board of Trustees, acting in the role of Lead Agency, has reviewed a Long Environmental Assessment Form and related documents as

deemed appropriate and the Board of Trustees has determined that the project will not have a significant impact on the environment and a negative declaration has been made.

(d) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and

Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution, as amended, is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption of this amending resolution, to publish or cause to be published, in full, in "*The Observer*," a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a

Notice in substantially the following form:

VILLAGE OF NORTHPORT, NEW YORK

PLEASE TAKE NOTICE that on July 5, 2011 the Board of Trustees of the Village of Northport, in the County of Suffolk, New York, adopted a resolution amending the bond resolution adopted by said Board of Trustees on May 4, 2010, which bond resolution, as amended, is entitled:

“Bond Resolution of the Village of Northport, New York, adopted on May 4, 2010 and amended on July 5, 2011, authorizing the construction of improvements to the Village wastewater system, stating the estimated maximum cost thereof is \$9,030,000, appropriating said amount for such purpose, and authorizing the issuance of \$9,030,000 serial bonds of said Village to finance said appropriation,”

an abstract of which bond resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Village to construct improvements to the Village wastewater system, including wastewater treatment plant upgrades, denitrification improvements, shoreline sewer and pump station upgrades, infiltration/inflow remediation and collection system improvements, as described in the reports prepared by Gannett Flemming, duly licensed engineers, dated April 2009 and August 2010; STATING the estimated maximum cost of said object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$9,030,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of \$9,030,000 serial bonds of the Village to finance said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon; and STATING that it is expected that grant funds shall be received by the Village in connection with the project described herein and any such grant funds are authorized to be applied toward the cost of said project or redemption of the Village's bonds or notes issued to finance the project, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes

SECOND: AUTHORIZING the issuance of \$9,030,000 serial bonds of the Village

pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness of the object or purpose for which said bonds are authorized is forty (40) years; the proceeds of said bonds may be applied to reimburse the Village for expenditures made after the effective date of said bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$9,030,000 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals of said notes; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: July 5, 2011

Donna Koch

Village Clerk

Section 8. The Village Clerk is hereby authorized and directed to cause said amending bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper hereinabove referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as prescribed by Section 81.00 of the Local Finance Law of the State of New York.

* * *

Section (B) The amendment of the bond resolution set forth in Section (A) of this resolution shall in no way affect the validity of any prior liabilities incurred,

obligations issued, or action taken pursuant to said bond resolution, and all such liabilities incurred, obligations issued, or action taken shall be deemed to have been incurred, issued or taken pursuant to said bond resolution, as amended.

Section (C) Said bond resolution, as amended, is subject to a permissive referendum as therein provided. In the event that a valid petition protesting against said bond resolution and requesting that it be submitted to the electors of said Village for their approval or disapproval is filed and the Proposition submitted is defeated, the validity of the bond resolution adopted May 4, 2010 shall not be in any way affected and shall remain in full force and effect.

RESOLUTION: 2011 – 116~ AUTHORIZING PAYMENT TO VILLAGE AUDITING FIRM

BE IT RESOLVED: that the Village auditing firm, Albrecht, Viggiano, Zureck & Company, P.C., having requested additional compensation of \$10,000.00 for auditing services for the 2009 audit, the Board of Trustees has determined that this request is fair and reasonable based upon the amount of work necessary to complete the audit, and hereby authorizes this additional compensation.

RESOLUTION 2011 – 117 PART TIME FIRE HOUSE ATTENDANT

BE IT RESOLVED: Richard Neems be and herby is hired to the part time position of Fire House Attendant at an hourly rate of \$15.00/per.

The next regular meeting of the Board of Trustees will be on August 2, 2011 at 5:00 p.m.

A RESOLUTION FOR AN EXECUTIVE SESSION: if necessary, for personnel and/or litigation matters.

Respectfully submitted,

Donna M. Koch
Village Clerk

